

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

12/1/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR 00-00164DAE
CASE NAME: USA v. Ernesto Castillo Lopez, Jr.
ATTYS FOR PLA: Darren Ching
ATTYS FOR DEFT: Shanlyn Park
USPO: Jonathan Skedelecki

JUDGE: David Alan Ezra

REPORTER: Cynthia Fazio

DATE: 12/1/2006

TIME: 9:00am-10:05am

COURT ACTION: EP: Further Order to Show Cause Why Supervised Released Should Not Be Revoked.

Defendant Ernesto Castillo Lopez, Jr. present in custody.

Government's Witness: Jonathan Skedelecki

Defendant found guilty of violation nos.: 1, 4, 6, and 7

Defendant found not guilty of violation nos.: 2, 3, 5, and 6

Further Order to Show Cause Why Supervised Released Should Not Be Revoked-
REVOKED.

No allocution by defendant.

SENTENCE:

Imprisonment: 8 MONTHS

Supervised Release: 24 MONTHS

CONDITIONS:

- ▶ That the defendant shall abide by the standard conditions of supervision.
- ▶ That the defendant not commit any crimes, federal, state, or local (mandatory condition).
- ▶ That the defendant not possess illegal controlled substances (mandatory condition)
- ▶ That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the terms of supervision (mandatory condition).
- ▶ That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ▶ That the defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office.

The defendant is prohibited from the possession and consumption of alcohol for the term of supervised release.

- ▶ That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.
- ▶ That the defendant serve up to 180 days of community confinement, in a community corrections center such as Mahoney Hale, following release from imprisonment as arranged by the Probation Office. While serving the term of community confinement, the defendant shall obtain employment and/or enroll in an educational program as approved and directed by the Probation Office
- ▶ That the defendant participate in a mental health program at the discretion and direction of the Probation Office.

Defendant advised of his right to appeal.

JUDICIAL RECOMMENDATIONS: FDC Honolulu.

Defendant remanded to the custody of U.S. Marshals.

Submitted by: Theresa Lam, Courtroom Manager